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AFFIDAVIT OF PUBLICATION

I hereby certify that the public notice "Notice of Public Meetings: Carbon Dioxide Transmission Pipeline" was published on February 16, March 2 and March 16, 2022 in the Public Opinion a legal newspaper as defined by SDCL 17-2-2.1, in the city of Watertown, county of Codington, South Dakota.

By: South Dakota Newspaper Services

Signature: 

Print Name: Sandy DeBeer, Advertising Placement Coordinator

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My commission expires: May 4, 2027



Many Sioux Falls daycare providers not eligible for grants

Joe Sneve

Sioux Falls Argus Leader | USA TODAY NETWORK

The state of South Dakota last week cut millions worth of daycare relief in checks to help stabilize an industry ravaged by rising inflation.

But hundreds of in-home daycares across South Dakota are not eligible for the more than \$60 million in childcare grants the Department of Social Services is in the process of distributing, including some with government certification.

The first round of Childcare Stabilization Grants, funded with federal stimulus money packed into the American Rescue Plan Act signed by President Biden in 2021, sent \$32 million to 510 daycare providers Thursday and Friday. And another \$30 million is marked for distribution through the program in the weeks ahead.

Why are daycare providers being left out of ARPA checks by South Dakota?

However, many providers around South Dakota — subject to the same pain state-licensed providers are experiencing in terms of rising costs of milk, food and other household items — aren't eligible to receive the grant dollars because they're not licensed with DSS.

"It's just not fair," said Kayla Wheeler, who's owned and operated an in-home daycare in Sioux Falls for nine infections, which included testing from Friday after into Monday. The seven-day average of new infections fell below 300 for the first time since late November.

Minnehaha County saw 75 new cases, and Lincoln County had 16. Brown County reported 15 and Codington County, 24. Forty-nine new cases were among long-term care residents.

An additional 991 residents received a first dose of vaccine through the state program. Over the past seven days the state has averaged 246 newly vaccinated individuals for Covid.



Jackie Diaz plays with building blocks with Jackson and Evelyn in a 3-year-old room during daycare on Tuesday, January 5, at EmBe in Sioux Falls. ERIN BORMETT / ARGUS LEADER

State law provides anyone in the state can legally care for 12 or fewer children without being formally licensed as long as they haven't been convicted of a felony in the previous five years and they do not smoke indoors when children are present. And that's resulted in an unknown number of in-home daycares operating proven guilty" protections into state law.

The bill has been linked to two cases that have captured national attention.

Mark McCloskey, the St. Louis man who gained fame when he and his wife were photographed outside their home in June 2020 pointing guns at Black Lives Matter demonstrators, testified in favor of the bill at a committee hearing this month.

McCloskey, now a U.S. Senate candidate, and his wife received a pardon from Missouri Gov. Mike Parson after pleading guilty to misdemeanors.

A Democrat on the committee said the bill could position Missouri to exonerate killers such as those who murdered Ahmaud Arbery in Georgia. Three white men who claimed self-defense were convicted

arise by subsidizing unlicensed providers.

However, providers registered with other government entities — as is often the case for in-home daycares in Sioux Falls — have traditionally been eligible to receive other aid like federal food assistance.

That isn't the case the Childcare Stabilization Grants, though.

DSS Cabinet Secretary Lori Gill said in a phone call with the Argus Leader that's because the dollars are being distributed based on attached guidelines from the federal government.

But a review of ARPA regulations specific to the daycare funding included in it, the state could have chosen to open the program to any "licensed, regulated, or registered in the State, territory, or Indian Tribe on the date of enactment of this Act and meets applicable State and local health and safety requirements."

But because DSS chose a more narrow scope for awarding the Childcare Stabilization Grants than what's allowed, Wheeler and more than 100 other in-home daycare providers who are licensed with the city of Sioux Falls but not the state, are being left out.

Gov. Kristi Noem last week said its her hope the infusion of childcare stimulus dollars — the federal government sent more than \$100 million of it to South Dakota last year — will create an incentive for more daycare providers not yet registered with the state to get licensed.

California, Kentucky and Pennsylvania, that have replaced a "reasonable person" standard with a "presumption of reasonableness," according to the National Conference of State Legislatures.

In a "reasonable person" standard, the burden of proof is on the defendant to show their actions were reasonable. When reasonableness is presumed, prosecutors must prove a negative.

Helms said the Missouri bill is patterned after Florida's law but "is not as aggressive" because it doesn't allow defendants to recoup attorneys fees if they are exonerated in a civil action.

The Missouri Senate's Transportation, Infrastructure and Public Safety voted 4-3 to not advance the bill. The bill will not reappear this session.

Rights

Continued from Page 1A

that could not be demoted by the judiciary as an ordinary right.

"That has been done in 24 courts around the nation," said Peterson, a Sioux Falls Republican who

serves on the House Education Committee.

While advocates for parental choice laws have framed them as transparency bills, education groups have expressed concern that curricula are being politicized.

Peterson said the bill would not conflict with laws preventing parental abuse or custody issues.

The bill must still pass through another committee meeting and floor vote in the Senate.

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NOTICE OF PUBLIC MEETINGS SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

WHAT: Notice of Public Meetings regarding Permit to Construct a Carbon Dioxide Transmission Pipeline in the counties of Beadle, Brown, Clark, Codington, Edmunds, Hamlin, Hand, Hyde, Kingsbury, Lake, Lincoln, McCook, McPherson, Minnehaha, Miner, Spink, Sully, and Turner

WHEN AND WHERE:

- Tuesday, March 22, 2022 – 5:30 p.m. CDT
– Sully Buttes High School Gymnasium,
500 S. 8th Street, Onida, South Dakota
- Wednesday, March 23, 2022 – 5:30 p.m. CDT
– Washington Room, Ramkota Conference Center,
3200 W. Maple Street, Sioux Falls, South Dakota
- Thursday, March 24, 2022 – 12:00 p.m. (noon) CDT,
– De Smet Event Center, 705 Wilder Lane, De Smet,
South Dakota
- Thursday, March 24, 2022 – 5:30 p.m. CDT,
– Redfield School Auditorium, 111 E. 6th Avenue,
Redfield, South Dakota
- Friday, March 25, 2022 – 12:00 p.m. (noon) CDT,
– Northern Room, Ramkota Hotel, 1400 8th Avenue
Northwest, Aberdeen, South Dakota

Pursuant to SDCL 49-41B-15 and 49-41B-16, the South Dakota Public Utilities Commission will hold public input meetings at the above times and places on an application filed by SCS Carbon Transport LLC (Applicant) to construct a carbon dioxide (CO₂) transmission pipeline (Project). The Project is approximately 2,000 miles of pipelines for the transportation of CO₂ from more than 30 ethanol plants across 5 states, including 7 ethanol plants in South Dakota, to underground injection control facilities in North Dakota. The proposed route of the mainline enters South Dakota

in Lincoln County at the Iowa/South Dakota border and extends in a northwesterly direction, exiting the state at the South Dakota/North Dakota border in McPherson County. In addition to the main line, the Project includes lateral and trunk lines connecting ethanol plants throughout the eastern part of South Dakota to the main line. The proposed length of pipelines through South Dakota is approximately 469 miles and will cross the counties of Beadle, Brown, Clark, Codington, Edmunds, Hamlin, Hand, Hyde, Kingsbury, Lake, Lincoln, McCook, McPherson, Minnehaha, Miner, Spink, Sully, and Turner. The Project includes a total of 4 pump stations located in Kingsbury, Minnehaha, McPherson, and Spink counties. Applicant estimates the total cost of the Project in South Dakota to be \$785 million.

The purpose of the public input meetings will be to hear public comments regarding the permit Application and the Project. At the meetings, Applicant will present a brief description of the Project, following which interested persons may appear and present their views, comments and questions regarding the Application. A copy of the Application is on file with the Beadle, Brown, Clark, Codington, Edmunds, Hamlin, Hand, Hyde, Kingsbury, Lake, Lincoln, McCook, McPherson, Minnehaha, Miner, Spink, Sully, and Turner County auditors pursuant to SDCL 49-41B-15.2 and at the Commission's office in Pierre. The Application and all other documents in the case, including detailed maps of the Project may be accessed on the Commission's website at www.puc.sd.gov under Commission Actions, Commission Dockets, Hydrocarbon and Carbon Dioxide Pipeline Dockets, 2022 Hydrocarbon and Carbon Dioxide Pipeline Dockets, HP22-001.

Pursuant to SDCL 49-41B-17 and ARSD 20:10:22:40, the statutory parties to this proceeding are the Applicant and the Commission staff. Each municipality, county, and governmental agency in the area where the facility is proposed to be sited; or any person residing in the area where the facility is proposed to be sited, or any directly interested person, may be granted party status in this proceeding by making timely written application to the Commission. Applications for party status will be available at the public input meetings or may be obtained from the Commission's

website or by contacting the Commission. Applications for party status must be received by the Commission on or before 5:00 p.m. on April 8, 2022.

Following the public input meetings, the Commission may schedule a formal evidentiary hearing conforming to SDCL Chapter 1-26 to consider any issues raised by any intervening party, the Commission's staff, or the Commission itself. At such a formal hearing, all parties will have the opportunity to appear, present evidence, cross-examine the other parties' witnesses, and exercise all other rights afforded by SDCL Chapters 1-26, 49-1, and 49-41B and ARSD Chapters 20:10:01 and 20:10:22, including rights of appeal to the courts.

For approval, Applicant must show that the proposed Project will comply with all applicable laws and rules, will not pose a threat of serious injury to the environment nor to the social and economic condition of inhabitants or expected inhabitants in the siting area, will not substantially impair the health, safety or welfare of the inhabitants, and will not unduly interfere with the orderly development of the region with due consideration having been given to the views of governing bodies of affected local units of government. Based upon these factors, the Commission will decide whether the permit to construct should be granted, denied, or granted upon such terms, conditions, or modifications of the construction, operation, or maintenance as the Commission finds appropriate.

Pursuant to the Americans with Disabilities Act, these meetings are being held in a physically accessible location. Please contact the Commission at least 48 hours prior to the meeting if you have special needs so arrangements can be made to accommodate you.

The Commission's contact information is: ph (800) 332-1782; www.puc.sd.gov; puc@state.sd.us; 500 E. Capitol Ave., Pierre, SD 57501.

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